

# Fax

***From***

Kristy Parker

***To***

U.S. Department of State  
(Office of Information  
Programs & Services)

***Number of pages***

12

***Message***

Freedom of Information Act Request and Request for  
Expedited Processing, and Privacy Act Request  
(submitted with waivers attached)

2020 Pennsylvania Ave NW, Suite #163  
Washington, D.C. 20006  
Fax: (929) 777-8428



# FAX

Date: July 2, 2019

To: U.S. Department of State, Office of Information Programs and Services

Fax: 202-261-8579

Re: Freedom of Information Act Request and **Request for Expedited Processing**, and  
Privacy Act Request

Notes: If you have questions about the contents of this fax, please contact:

**Kristy Parker, Counsel**

kristy.parker@protectdemocracy.org

202-368-1294

**The Protect -  
Democracy  
Project**

July 2, 2019

By Facsimile (202-261-8579)  
U. S. Department of State  
Office of Information Programs and  
Services  
A/GIS/IPS/RL  
SA-2, Suite 8100  
Washington, D. C. 20522-0208

Re: Freedom of Information Act Request and **Request for Expedited Processing**, and  
Privacy Act Request

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the Privacy Act, 5 U.S.C. § 552a, Narges Bajoghli, Mohammad Ali Shabani, Esfandiyar Batmanghelidj, Trita Parsi, and The Protect Democracy Project hereby request that your office produce within 20 business days the following records (see below for clarity on the types of records sought):

1. All records, including but not limited to emails and memoranda, reflecting or related to communications between the State Department and the E-Collaborative for Civic Education (ECCE), Tavaana, and/or the Iran Disinformation Project (sometimes referred to as “Iran Disinfo”).
2. All records, including but not limited to emails and memoranda, reflecting or related to the State Department’s funding of ECCE, Tavaana, and/or Iran Disinfo, including but not limited to any discussion of funding, continuing or discontinuing to fund, suspending or revoking funding from, or reinstating funding to these organizations.
3. All records, including but not limited to emails and memoranda, mentioning or discussing any of the individual requestors or their Twitter handles, listed below, whether or not contained in a State Department Privacy Act system of records. (Please see below for notarized privacy waivers from each individual requestors).
  - a. Narges Bajoghli, Twitter user @nargesbajoghli
  - b. Mohammad Ali Shabani, Twitter user @mashabani
  - c. Esfandiyar Batmanghelidj, Twitter user @yarbatman
  - d. Trita Parsi, Twitter user @tparsi

2020 Pennsylvania Avenue, NW, #163, Washington, DC 20006

4. All records, including but not limited to emails and memoranda, mentioning or discussing any of the following individuals:
  - a. Mariam Memarsadeghi
  - b. Jason Rezaian
  - c. Mohsen Milani
  - d. Ali Vaez
  - e. Tara Sepehri Far
  - f. Jamal Abdi
  - g. Saeed Ghaseminejad
  - h. Amir Etemadi Bozorg
  - i. Alireza Kiani
  - j. Behzad Mehrani
5. All records, including but not limited to emails and memoranda, mentioning or discussing any of the following social media accounts:
  - a. Twitter user @memarsadeghi
  - b. Twitter user @jrezaian
  - c. Twitter user @milanimohsen
  - d. Twitter user @AliVaez
  - e. Twitter user @sepehrifar
  - f. Twitter user @jabdi
  - g. Twitter user @IranDisinfo
  - h. Twitter user @Tavaana
  - i. Twitter user @tanasoli
  - j. Twitter user @FarsiMediaWatch
  - k. Twitter user @IranGateway
  - l. Twitter user @iranfarashgard
  - m. Twitter user @AlirezaNader
  - n. Twitter user @arash\_sobhani
  - o. Twitter user @FDD\_Iran
  - p. Twitter user @ajibzade
  - q. Twitter user @InsideIran\_24
6. All calendars, agendas, manifests, schedules, notes, lists of attendees, or other records reflecting or relating to meetings between the State Department and ECCE, Tavaana and/or Iran Disinfo.
7. In addition to the records requested above, we also request records describing the processing of this request, including records sufficient to identify search terms used and locations and custodians searched, and any tracking sheets used to track the processing of this request. If your agency uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted

searches, we also request any such records prepared in connection with the processing of this request.

The timeframe for this request is January 20, 2017 through the date that searches are conducted for records responsive to this FOIA request.

We ask that you search for records from all components of the Department of State that may be reasonably likely to produce responsive results, including but not limited to the Bureau of Global Public Affairs, the Global Engagement Center, the Bureau of Near Eastern Affairs, and the Bureau of Public Affairs. We also ask that your searches include – but, again, not be limited to – Senior Advisor and Deputy Assistant Secretary for Digital Strategy Len Khodorkovsky, Assistant Secretary of State for Public Affairs Michelle S. Giuda, acting Deputy Assistant Secretary Amanda Milius, and Assistant Secretary of State for Iraq and Iran Andrew L. Peek as custodians of potentially relevant records. We also ask that you search all systems of records, including electronic and paper, in use at your agency, as well as files or emails in the personal custody of your employees, such as personal email accounts, as required by FOIA and to the extent that they are reasonably likely to contain responsive records. We would prefer records in electronic format, saved as PDF documents, and transmitted via email or CD-rom.

Each individual requestor requests only copies of responsive Privacy Act records related to themselves, as listed in Request number 3, above. The Protect Democracy Project requests copies of all responsive records. **All responsive records can be sent care of The Protect Democracy Project.**

#### EXPEDITED PROCESSING REQUEST

We request that you expedite the processing of this request pursuant to 5 U.S.C. § 552(a)(6)(E) and 22 C.F.R. § 171.11(f). This request meets the criteria for expedited processing because “[t]he information is urgently needed by an individual that is engaged in disseminating information in order to inform the public concerning actual or alleged Federal government activity.” 22 C.F.R. § 171.11(f)(2). According to the Department of State’s (DOS’s) own statements, the DOS suspended funding to the Iran Disinformation Project “until the implementer takes necessary steps to ensure that any future activity remains within the agreed scope of work.”<sup>1</sup> According to media reports, Iran Disinfo’s activity included online “trolling” and harassment of American academics, journalists, and activists who do not share the program’s hard line stance against Iran.<sup>2</sup> Online

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<sup>1</sup> Julian Borger, *US Cuts Funds for ‘Anti-Propaganda’ Iran Group that Trolled Activists*, GUARDIAN (May 31, 2019), <https://www.theguardian.com/us-news/2019/may/31/us-cuts-funds-for-anti-propaganda-group-that-trolled-activists>.

<sup>2</sup> See Jason Rezaian, *The State Department Has Been Funding Trolls. I’m One of Their Targets*, Washington Post (Jun. 4, 2019), [https://www.washingtonpost.com/opinions/2019/06/04/state-department-has-been-funding-trolls-im-one-their-targets/?utm\\_term=.bbf07f53a2eb](https://www.washingtonpost.com/opinions/2019/06/04/state-department-has-been-funding-trolls-im-one-their-targets/?utm_term=.bbf07f53a2eb); Alex Marquardt, *State Department Suspends Funding of Anti-Iran Group Which Targeted Journalists and Activists*, CNN (Jun. 5, 2019), <https://www.cnn.com/2019/06/05/politics/us-suspends-funding-anti-iran-group/index.html>.

harassment is especially pernicious because of its ability to go viral.<sup>3</sup> The targets of Iran Disinfo's trolling have informed the Protect Democracy Project that they were subject to further harassment, including requests that some be fired from their jobs. The use of public funds intended to *counter* propaganda to instead support attacks against American taxpayers for their political beliefs is a matter of the utmost importance to the public. Furthermore, DOS's failure to take action until after journalists reported on Iran Disinfo's attacks, and its mere suspension rather than termination of funding, creates a concern that funding could be quietly reinstated. The public has an urgent right to know the extent of the funding relationship between the State Department and Iran Disinfo, including whether the State Department intends to reinstate funding to Iran Disinfo and whether the State Department was aware of Iran Disinfo's trolling campaign prior to complaints.

The Protect Democracy Project is engaged in dissemination of information and intends to disseminate the information obtained in response to this request. As the District Court for the District of Columbia "easily" determined in recent litigation in a separate FOIA request, "Protect Democracy satisfied these standards" of being "primarily engaged in disseminating information." *Protect Democracy Project, Inc. v. U.S. Dep't of Def.*, No. 17-CV-00842 (CRC), 2017 WL 2992076, at \*5 (D.D.C. July 13, 2017). The Protect Democracy Project operates in the tradition of 501(c)(3) good government organizations that qualify under FOIA as "news media organizations." Like those organizations, the purpose of The Protect Democracy Project is to "gather information of potential interest to a segment of the public, use its editorial skills to turn the raw materials into distinct work, and distribute that work to an audience." *Nat's Sec. Archive v. Dep't of Defense*, 880 F.2d 1381, 1387 (D.C. Cir. 1989). Indeed, The Protect Democracy Project has routinely demonstrated the ability to disseminate information about its FOIA requests to a wide audience.<sup>4</sup> The Protect Democracy Project will disseminate information and analysis about this request – and any information obtained in response – through its website (protectdemocracy.org); its Twitter feed (<https://twitter.com/protctdemocracy>), which has more than 25,000 followers; its email list of approximately 20,000 people; and sharing information with other members of the press.

In sum, this request satisfies the requirements of 5 U.S.C. § 552(a)(6)(E) and 22 C.F.R. § 171.11(f). It is therefore incumbent upon the government and urgent for your office to share any responsive records in an expedited fashion.

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<sup>3</sup> See REPORTERS WITHOUT BORDERS, ONLINE HARASSMENT OF JOURNALISTS: ATTACK OF THE TROLLS (2018), [https://rsf.org/sites/default/files/rsf\\_report\\_on\\_online\\_harassment.pdf](https://rsf.org/sites/default/files/rsf_report_on_online_harassment.pdf).

<sup>4</sup> See, e.g., Lisa Rein, *Watchdog group, citing "integrity of civil service," sues Trump to find out if feds are being bullied*, Wash. Post, Apr. 27, 2017, [https://www.washingtonpost.com/news/powerpost/wp/2017/04/27/watchdog-group-citing-integrity-of-civil-service-sues-trump-to-find-out-if-feds-are-being-bullied/?utm\\_term=.8647ab128f3e](https://www.washingtonpost.com/news/powerpost/wp/2017/04/27/watchdog-group-citing-integrity-of-civil-service-sues-trump-to-find-out-if-feds-are-being-bullied/?utm_term=.8647ab128f3e); Ben Berwick, *Going to Court for Civil Servants*, Take Care, April 28, 2017, <https://takecareblog.com/blog/going-to-court-for-civil-servants>; Charlie Savage, *Watchdog Group Sues Trump Administration, Seeking Legal Rationale Behind Syria Strike*, N.Y. Times, May 8, 2017, <https://nyti.ms/2pX82OV>; Justin Florence, *What's the Legal Basis for the Syria Strikes? The Administration Must Acknowledge Limits on its Power to Start a War*, Lawfare, May 8, 2017, <https://www.lawfareblog.com/whats-legal-basis-syria-strikes-administration-must-acknowledge-limits-its-power-start-war>.

Under penalty of perjury, I hereby affirm that the foregoing is true and correct to the best of my knowledge and belief.

NO FEES FOR INDIVIDUAL REQUESTORS

Pursuant to C.F.R. § 171.20, “[n]o fees shall be charged for access to or amendment of PA records.”

FEE WAIVER

FOIA provides that any fees associated with a request are waived if “disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii). The core mission of The Protect Democracy Project, a 501(c)(3) organization, is to inform public understanding on operations and activities of the government. As explained in support of the request for expedited processing, this request is submitted in consort with the organization’s mission to gather and disseminate information that is likely to contribute significantly to the public understanding of executive branch operations and activities. The Protect Democracy Project has no commercial interests.

In addition to satisfying the requirements for a waiver of fees associated with the search and processing of records, The Protect Democracy Project is entitled to a waiver of all fees except “reasonable standard charges for document duplication.” 5 U.S.C. § 552(a)(4)(A)(ii)(II). Federal law mandates that fees be limited to document duplication costs for any requester that qualifies as a representative of the news media. *Id.* As explained above, The Protect Democracy Project operates in the tradition of 501(c)(3) good government organizations that qualify under FOIA as “news media organizations.” Like those organizations, the purpose of The Protect Democracy Project is to “gather information of potential interest to a segment of the public, use its editorial skills to turn the raw materials into distinct work, and distribute that work to an audience.” *Nat’s Sec. Archive v. Dep’t of Defense*, 880 F.2d 1381, 1387 (D.C. Cir. 1989). As the District Court for the District of Columbia “easily” determined in recent litigation in a separate FOIA request, The Protect Democracy Project is “primarily engaged in disseminating information.” *Protect Democracy Project, Inc. v. U.S. Dep’t of Def.*, No. 17-cv-842-CRC, 2017 WL 2992076, at \*5 (D.D.C. July 13, 2017). Indeed, The Protect Democracy Project has routinely demonstrated the ability to disseminate information about its FOIA requests to a wide audience. *See supra* note 3. The Protect Democracy Project will disseminate information and analysis about this request – and any information obtained in response – through its website (protectdemocracy.org); its Twitter feed (<https://twitter.com/protctdemocracy>), which has more than 25,000 followers; its email list of approximately 20,000 people; and sharing information with other members of the press.

### RESPONSIVE RECORDS

We ask that all types of records and all record systems be searched to discover records responsive to our request. We seek records in all media and formats. This includes, but is not limited to: agendas, manifests, calendars, schedules, notes, and any prepared documentation for meetings, calls, teleconferences, or other discussions responsive to our request; voicemails; e-mails; e-mail attachments; talking points; faxes; training documents and guides; tables of contents and contents of binders; documents pertaining to instruction and coordination of couriers; and any other materials. However, you need not produce press clippings and news articles that are unaccompanied by any commentary (e.g., an email forwarding a news article with no additional commentary in the email thread).

If you make a determination that any responsive record, or any segment within a record, is exempt from disclosure, we ask that you provide an index of those records at the time you transmit all other responsive records. In the index, please include a description of the record and the reason for exclusion with respect to each individual exempt record or exempt portion of a record, as provided by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974). When you deem a portion of a record exempt, we ask that the remainder of the record to be provided, as required by 5 U.S.C. § 552(b).

Given the 20-day statutory deadline and our request for expedition, we hope to be as helpful as possible in clarifying or answering questions about our request. Please contact me at [kristy.parker@protectdemocracy.org](mailto:kristy.parker@protectdemocracy.org) or (202) 368-1294 if you require any additional information. We appreciate your cooperation and look forward to hearing from you very soon.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kristy Parker", with a stylized, flowing script.

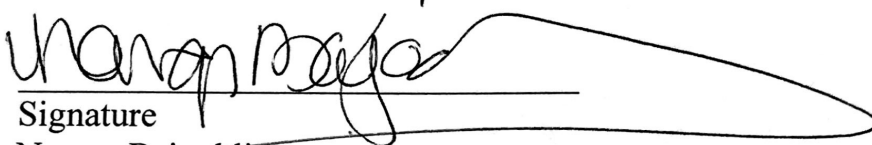
Kristy Parker  
Counsel  
The Protect Democracy Project



NOTARIZED PRIVACY WAIVER FOR THIRD-PARTY DISCLOSURE

I am the individual requestor by the name, Narges Bajoghli, to whom the requested information or record applies. If providing information pursuant to this request requires my consent, I, Narges Bajoghli, authorize the Department of State to release all requested information about me to myself and the Protect Democracy Project. I declare under penalty of perjury that I have examined all the information on this authorization and it is true and correct to the best of my knowledge (18 U.S.C. § 1001). I understand that anyone who knowingly or willingly seeks or obtains access to records about another person under false pretenses is committing a misdemeanor, punishable by fines of up to \$5,000 (5 U.S.C. § 552 a(I)(3)).

Executed on June 24, 2019.

  
Signature  
Narges Bajoghli

NOTARIZED PRIVACY WAIVER FOR THIRD-PARTY DISCLOSURE

I am the individual requestor by the name, Mohammad Ali Shabani, to whom the requested information or record applies. If providing information pursuant to this request requires my consent, I, Mohammad Ali Shabani, authorize the Department of State to release all requested information about me to myself and the Protect Democracy Project. I declare under penalty of perjury that I have examined all the information on this authorization and it is true and correct to the best of my knowledge (18 U.S.C. § 1001). I understand that anyone who knowingly or willingly seeks or obtains access to records about another person under false pretenses is committing a misdemeanor, punishable by fines of up to \$5,000 (5 U.S.C. § 552 a(I)(3)).

Executed on July\_2\_, 2019.



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Signature

Mohammad Ali Shabani

NOTARIZED PRIVACY WAIVER FOR THIRD-PARTY DISCLOSURE

I am the individual requestor by the name, Esfandiyar Batmanghelidj, to whom the requested information or record applies. If providing information pursuant to this request requires my consent, I, Esfandiyar Batmanghelidj, authorize the Department of State to release all requested information about me to myself and the Protect Democracy Project. I declare under penalty of perjury that I have examined all the information on this authorization and it is true and correct to the best of my knowledge (18 U.S.C. § 1001). I understand that anyone who knowingly or willingly seeks or obtains access to records about another person under false pretenses is committing a misdemeanor, punishable by fines of up to \$5,000 (5 U.S.C. § 552 a(1)(3)).

Executed on June 26, 2019.

A handwritten signature in cursive script, enclosed within a large, loopy oval. The signature appears to read "Esfandiyar Batmanghelidj".

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Signature

Esfandiyar Batmanghelidj

NOTARIZED PRIVACY WAIVER FOR THIRD-PARTY DISCLOSURE

I am the individual requestor by the name, Trita Parsi, to whom the requested information or record applies. If providing information pursuant to this request requires my consent, I, Trita Parsi, authorize the Department of State to release all requested information about me to myself and the Protect Democracy Project. I declare under penalty of perjury that I have examined all the information on this authorization and it is true and correct to the best of my knowledge (18 U.S.C. § 1001). I understand that anyone who knowingly or willingly seeks or obtains access to records about another person under false pretenses is committing a misdemeanor, punishable by fines of up to \$5,000 (5 U.S.C. § 552 a(I)(3)).

Executed on June 30, 2019.

A handwritten signature in black ink, appearing to read 'Trita Parsi', is written above a horizontal line.

Signature  
Trita Parsi